



**4310-VH-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Safety and Environmental Enforcement**

**[Docket ID No. BSEE-2011-0002; OMB Control Number 1014-0016]**

**Information Collection Activities: Pipelines and Pipeline Rights-of-Way; Submitted for Office of Management and Budget (OMB) Review; Comment Request**

**AGENCY:** Bureau of Safety and Environmental Enforcement, Interior

**ACTION:** 30-day Notice

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), BSEE is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under Subpart J, “Pipelines and Pipeline Rights-of-Way.” This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements.

**DATE:** You must submit comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Submit comments by either fax (202) 395-5806 or email ([OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov)) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014-0016). Please provide a copy of your comments to BSEE by any of the means below.

- Electronically: go to <http://www.regulations.gov>. In the entry titled, “Enter Keyword or ID,” enter BSEE-2011-0002 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- Email [nicole.mason@bsee.gov](mailto:nicole.mason@bsee.gov), fax (703) 787-1546, or mail or hand-carry comments to: Department of the Interior; Bureau of Safety and Environmental Enforcement; Attention: Nicole Mason; 381 Elden Street, HE3313; Herndon, Virginia 20170-4817.

Please reference 1014-0016 in your comment and include your name and return address.

**FOR FURTHER INFORMATION CONTACT:** Nicole Mason, Regulations and Development Branch, (703) 787-1605, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to <http://www.reginfo.gov> (select Information Collection Review, Currently Under Review).

**SUPPLEMENTARY INFORMATION:**

**Title:** 30 CFR 250, Subpart J, Pipelines and Pipeline Rights-of-Way.

**Form:** BSEE-0149.

**OMB Control Number:** 1014-0016.

**Abstract:** The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 et seq. and 43 U.S.C. 1801 et seq.), authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of the Act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-way (ROW), or a right-of-use and easement. Section 1334(e) authorizes the Secretary to grant ROWs through the submerged lands of the OCS for pipelines “. . . for the transportation of oil, natural gas, sulphur, or other minerals, or under such regulations and upon such conditions as may be prescribed by the

Secretary, . . . including (as provided in section 1347(b) of this title) assuring maximum environmental protection by utilization of the best available and safest technologies, including the safest practices for pipeline burial . . .”.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. This authority and responsibility are among those delegated to BSEE. BSEE regulations specify cost recovery service fees for pipeline and assignment applications.

This information collection (IC) request addresses the regulations under 30 CFR 250, subpart J, on pipelines and pipeline ROWs and is considered a revision. Between the initial 60-day FR notice and now, BSEE requested and obtained OMB approval via a Notice of Action (12/12/2011) to transfer 1010-0050 to 1014-0016. This transfer was a result of the Bureau of Ocean Energy Management, Regulations and Enforcement splitting into two bureaus and some specific subpart J regulatory requirements going to both bureaus. Therefore, the program change is due to that final rulemaking (76 FR 64432) where the requirements pertaining to bonding (Form BOEM-2030; § 250.1011) have been removed from BSEE regulations and are now located in the Bureau of Ocean Energy Management regulations (30 CFR 550.1011). This collection also covers the related Notices to Lessees and Operators (NTLs) that BSEE issues to clarify and provide additional guidance on some aspects of the regulations.

Regulations at 30 CFR 250, subpart J, implement these statutory requirements. We use the information to ensure those activities are performed in a safe manner. BSEE needs information concerning the proposed pipeline and safety equipment, inspections

and tests, and natural and manmade hazards near the proposed pipeline route. BSEE uses the information to review pipeline designs prior to approving an application for an ROW or lease term pipeline to ensure that the pipeline, as constructed, will provide for safe transportation of oil and gas and other minerals through the submerged lands of the OCS. We review proposed pipeline routes to ensure that the pipeline would not conflict with any State requirements or unduly interfere with other OCS activities. BSEE reviews proposals for taking pipeline safety equipment out of service to ensure alternate measures are used that will properly provide for the safety of the pipeline and associated facilities (platform, etc.). We review notification of relinquishment of an ROW grant and requests to abandon pipelines to ensure that all legal obligations are met and pipelines are properly abandoned. BSEE monitors the records concerning pipeline inspections and tests to ensure safety of operations and protection of the environment and to schedule their workload to permit witnessing and inspecting operations. Information is also necessary to determine the point at which the Department of the Interior or the Department of Transportation (DOT) has regulatory responsibility for a pipeline and to be informed of the identified operator if not the same as the ROW holder.

The following form is also submitted to BSEE under subpart J:

*BSEE-0149 – Assignment of Federal OCS Pipeline Right-of-Way Grant:* BSEE uses the information to track the ownership of pipeline ROWs; as well as use the information to update the corporate database that is used to determine what leases are available for a Lease Sale and the ownership of all OCS leases.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR

part 2); also under regulations at 30 CFR 250.197, “Data and information to be made available to the public or for limited inspection,” and 30 CFR 252, “Outer Continental Shelf (OCS) Oil and Gas Information Program.”

No items of a sensitive nature are collected. Responses are mandatory or are required to obtain or retain a benefit.

**Frequency:** On occasion, annual.

**Description of Respondents:** Potential respondents include lessees, operators, and holders of pipeline ROWs.

**Estimated Reporting and Recordkeeping Hour Burden:** The estimated annual hour burden for this information collection is a total of 55,072 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

Citation 30 CFR 250 Subpart J and related NTL(s)	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
		Non-Hour Cost Burdens*		
Lease Term (L/T) Pipeline (P/L) Applications				
1000(b)(1); 1004(b)(5); 1007(a)	Submit application and all required information and notices to install new L/T P/L.	90	208-new L/T P/L applications	18,720
		\$3,283 x 208 L/T P/L applications = \$682,864		
1000(b)(1); 1007(b)	Submit application and all required information and notices to modify a L/T P/L	30	121 modifications	3,630
		\$1,906 x 121 L/T P/L applications = \$230,626		
1000(b)(1);	Submit an application to decommission a lease-term pipeline	10	228 applications	2,280
Subtotal			557 responses	24,630 hours

Citation 30 CFR 250 Subpart J and related NTL(s)	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
		Non-Hour Cost Burdens*		
			\$913,490 non-hour cost burdens	
Right of Way (ROW) P/L Applications and Grants				
1000(b)(2), (d); 1004(b)(5); 1007(a); 1009(a); 1015; 1016	Submit application and all required information and notices for new P/L ROW grant and to install a new ROW P/L.	110	34-new ROW grant and P/L applications	3,740
		\$2,569 x 34 applications = \$87,346		
1000(b)(2), (3); 1007(b); 1017	Submit application and all required information and notices to modify a P/L ROW grant and to modify an ROW P/L (includes route modifications, cessation of operations, partial relinquishments, hot taps, and new and modified accessory platforms).	45	182 modifications	8,190
		\$3,865 x 182 applications = \$703,430		
1000(b)(3); 1010(h); 1017(b)(2)(ii); 1019	Submit application and all required information and notices to relinquish P/L ROW grant.	10	176 relinquishments	1,760
1015	Submit application and all required information and notices for a P/L ROW grant to convert a lease-term P/L to an ROW P/L.	15	9 conversions	135
		\$219 x 9 applications = \$1,971		
1016	Request opportunity to eliminate conflict when an application has been rejected.	2	1 request	2
1018	Submit application and all required information and notices for assignment of a pipeline ROW grant using Form BSEE-0149 (burden includes approximately 30 minutes to fill out form).	15	179 assignments	2,685
		\$186 x 179 P/L ROW requests = \$33,294		
Subtotal			581 responses	16,512 hours
			\$826,041 non-hour cost burdens	
Notifications and Reports				
1004(b)(5)	In lieu of a continuous volumetric comparison system, request substitution; submit any supporting documentation if requested/required.	36	1 submittal	36
1008(a)	Notify BSEE before constructing or relocating a pipeline.	½	300 notices	150
1008(a)	Notify BSEE before conducting a pressure test.	½	400 notices	200
1008(b)	Submit L/T P/L construction report.	20	120 reports	2,400
1008(b)	Submit ROW P/L construction report.	20	110 reports	2,200
1008(c)	Notify BSEE of any pipeline taken out of service.	½	400 notices	200

Citation 30 CFR 250 Subpart J and related NTL(s)	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
		Non-Hour Cost Burdens*		
1008(d)	Notify BSEE of any pipeline safety equipment taken out of service more than 12 hours.	½	2 notices	1
1008(e)	Notify BSEE of any repair and include procedures.	3	237 notices	711
		\$360 x 237 notices = \$85,320		
1008(e)	Submit repair report.	4	200 reports	800
1008(f)	Submit report of pipeline failure analysis.	½	5 reports	3
1008(g)	Submit plan of corrective action and report of any remedial action.	15	5 plans/reports	75
1008(h)	Submit the results and conclusions of pipe-to-electrolyte potential measurements.	1	2,500 results	2,500
1010(c)	Notify BSEE of any archaeological resource discovery.	4	2 notices	8
1010(d)	Notify BSEE of P/L ROW holder’s name and address changes.	Not considered IC under 5 CFR 1320.3(h).		0
Subtotal			4,282 responses	9,284 hours
			\$85,320 non-hour cost burdens	
General				
1000(c)(2)	Identify in writing P/L operator on ROW if different from ROW grant holder.	Cover by applicable applications		0
1000(c)(3)	Mark specific point on P/L where operating responsibility transfers to transporting operator or depict transfer point on a schematic located on the facility. One-time requirement after final rule published; now part of application or construction process involving no additional burdens.			0
1000(c)(4)	Petition BSEE for exceptions to general operations transfer point description.	5	1 petition	5
1000(c)(8)	Request BSEE recognize valves landward of last production facility but still located on OCS as point where BSEE regulatory authority begins (none received to date).	1	1 request	1
1000(c)(12)	Petition BSEE to continue to operate under DOT regulations upstream of last valve on last production facility (one received to date).	40	1 petition	40
1000(c)(13)	Transporting P/L operator petition to DOT and BSEE to continue to operate under BSEE regulations (none received to date)	40	1 petition	40
1004(c)	Place sign on safety equipment identified as ineffective and removed from service.	See footnote 1/		0
1000-1019	General departure and alternative compliance requests not specifically covered elsewhere in subpart J regulations.	2	175 requests	350
Subtotal			179 responses	436 hours

Citation 30 CFR 250 Subpart J and related NTL(s)	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
		Non-Hour Cost Burdens*		
Recordkeeping				
1000-1008	Make available to BSEE design, construction, operation, maintenance, testing, and repair records on lease-term P/Ls <sup>2/</sup> .	5	130 lease-term P/L operators	650
1005(a)	Inspect P/L routes for indication of leakage <sup>1/</sup> , record results, maintain records 2 years <sup>2/</sup> .	2 per month = 24	130 lease-term P/L operators	3,120
1010(g)	Make available to BSEE design, construction, operation, maintenance, testing, and repair records on P/L ROW area and improvements <sup>2/</sup> .	5	88 P/L ROW holders	440
Subtotal			348 responses	4,210 hours
TOTAL HOUR BURDENS			5,947 responses	55,072 hours
TOTAL NON-HOUR COST BURDENS			\$1,824,851 non-hour cost burdens	

<sup>1/</sup> These activities are usual and customary practices for prudent operators.

<sup>2/</sup> Retaining these records is usual and customary business practice; required burden is minimal to make available to BSEE.

\* The non-hour cost burdens that are associated with cost recovery monies collected are based on actual submittals through Pay.gov for FY 2011.

**Estimated Reporting and Recordkeeping Non-Hour Cost Burden:** We have identified seven non-hour paperwork cost burdens for this collection. However, note that the actual service fee amounts are specified in 30 CFR 250.125, which provides a consolidated table of the service fees required under the 30 CFR 250 regulations. The non-hour cost burdens (cost recovery fees) in this IC total an estimated \$1,824,851, and they are required under:

Section 250.1000(b) – New Pipeline Application (lease term) - \$3,283

Section 250.1000(b) – Pipeline Application Modification (lease term) - \$1,906

Section 250.1000(b) – Pipeline Application Modification (ROW) - \$3,865

Section 250.1008(e) – Pipeline Repair Notification - \$360



Section 250.1015(a) – Pipeline ROW Grant Application - \$2,569

Section 250.1015(a) – Pipeline Conversion from Lease term to ROW - \$219

Section 250.1018(b) – Pipeline ROW Assignment - \$186

We have not identified any other non-hour cost burdens associated with this collection of information.

**Public Disclosure Statement:** The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

**Comments:** Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .”.

Agencies must specifically solicit comments to: (a) evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on December 5, 2011, we published a *Federal Register* notice (76 FR 75894) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB control number for the information collection requirements imposed by the 30 CFR 250 regulations and forms. The regulation also informs the public that they may comment at any time on the collections of information

and provides the address to which they should send comments. We have received no comments in response to these efforts.

**Public Comment Procedures:** Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Acting BSEE Information Collection Clearance Officer:** Cheryl Blundon (703) 787-1607.

February 22, 2012  
Dated.

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Douglas W. Morris, Chief  
Office of Offshore Regulatory Programs.

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